

Notice of Allowability

Application No.

09/779,116

Applicant(s)

BROADHURST ET AL.

Examiner

Laura L. Stockton, Ph.D.

Art Unit

1626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed June 7, 2004.
2. ☒ The allowed claim(s) is/are 35-51, now renumbered claims 1-17, respectively.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

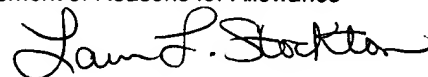
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 070904.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



Laura L. Stockton, Ph.D.
Primary Examiner
Art Unit: 1626

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Eileen Ebel on July 9, 2004.

The application has been amended as follows:

In the Claims:

Claim 35:

line 10 of claim: delete the period at the end of the line.

Claim 36:

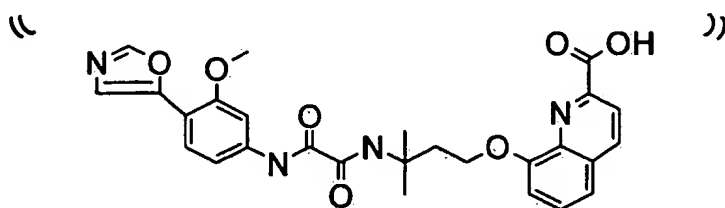
line 1 of claim: delete the second period after "36".

Claim 37:

line 1 of claim: replace "claims 36" with -- claim 36 -- .

Claim 39:

at the end of the next to the last line of claim: after



add -- and -- .

Claim 39:

last line of claim, delete the period after

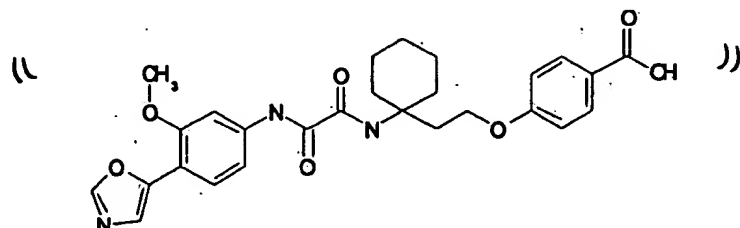
“5-[3-[[[3-Methoxy-4-(5-oxazolyl)
anilino]oxalyl]amino]-3-
methylbutoxy]-2-indolecarboxylic
acid” .

Claim 39:

Add a period at the end of the claim.

Claim 43:

at the end of the next to the last line of claim: after



add -- and -- .

Claim 43:

last line of claim, delete the period after

“4-[2-[1-[[[3-Methoxy-4-(5-oxazolyl)anilino]oxalyl]amino]-1-cyclobutyl]ethoxy]benzoic acid” .

Claim 43:

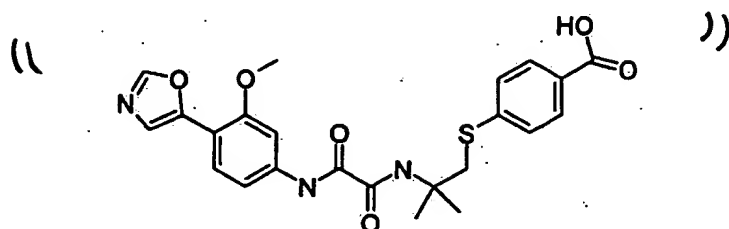
Add a period at the end of the claim.

Claim 45:

line 1 of claim: delete the second period after “45”.

Claim 47:

at the end of the next to the last line of claim: after



add -- and -- .

Claim 47:

last line of claim, delete the period after

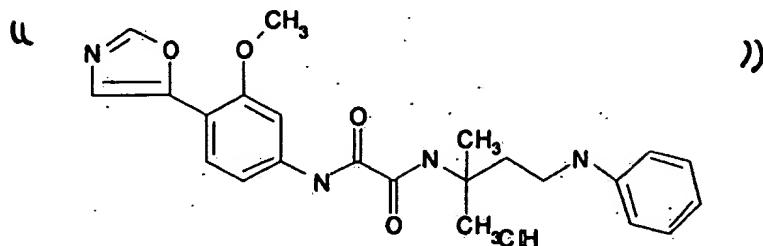
"2-[3-[[[3-Methoxy-4-(5-oxazolyl)
anilino]oxalyl]amino]-3-
methylbutylthio]-6-
benzoxazolecarboxylic acid "

Claim 47:

Add a period at the end of the claim.

Claim 51:

at the end of the next to the last line of claim: after



add -- and -- .

Claim 51:

last line of claim, delete the period after

“ 4-[3-[[[3-Methoxy-4-(5-oxazolyl)
anilino]oxalyl]amino]-3-
methylbutylamino]benzoic acid” .

Claim 51:

Add a period at the end of the claim.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to

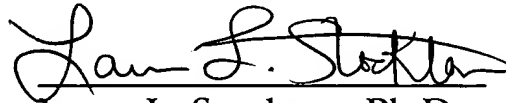
Application/Control Number: 09/779,116
Art Unit: 1626

Page 7

Laura L. Stockton whose telephone number is (571) 272-0710. The examiner can normally be reached on Monday-Friday from 6:15 am to 2:45 pm. If the examiner is out of the Office, the examiner's supervisor, Joseph McKane, can be reached on (571) 272-0699.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The Official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Laura L. Stockton, Ph.D.
Patent Examiner
Art Unit 1626, Group 1620
Technology Center 1600

July 9, 2004